[illegible]

G. R. S. IX-5]

Preserved

P21E

Previous references.
G7 243-16 Nos: 1&2, 13 Septr 1917

1919.

(G7)

File No. 256-18

Serial Nos. 1&2

Later references.
G7 255-19 Nos: 1&2, 13 June 1920
GF 13-24-1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for January 1920

SUBJECT.

Percentage of Charges to be transferred from Land Revenue to Courts of Law

---

No: 2. To The Comptroller. No F.L. 40729 9.1.1920.

States for reasons stated that the case for transfer of a share of cost of D.C.'s Establishments remain undisturbed and 28% of such charges will continue to be transferred to Courts of Law and 5% of the cost of Sub-division and Taluk Office Establishments instead of the present rate of 28% may be transferred to Courts of Law in the Districts in which the Scheme is introduced.

W D 1250—GPB—30,000 28-1-19

9/2/1920

G. R. S. III-1]

1919.

GENERAL AND REVENUE SECRETARIAT

(G-7)

NOTES.

File No. 256-18

FILE HEADING.

Percentage of charges to be transferred from Land Revenue to Courts of Law.

From

The Comptroller

No. 2990/Books Dated 17. 4 1919 Received

Diary No. 2815] Enclos. Spare Copies. [Serial No. /

BRIEF ABSTRACT OF LETTERS.

States for reasons stated that the percentage of 28 previously fixed for charges to be transferred from Land Revenue to Courts of Law has to be changed & requests early orders.

NOTES AND ORDERS.

1) Subd
Hoe
27/4/19

The previous file [illegible] G.O. 10.9.17 should put up.

S.
7/5

2) G.7 243-16, Ss 1 & 2 Part B for Sep 17 containing the G.O. of 10.9.17 is put up.

Subd
Hoe
8/5/19
10

NOTES—First Sheet.

806

(2

2815

G. R. S. III-2]

General and Revenue Secretariat.

R. F. File No. 256 of 1918.

Serial No.

3) This question was also raised by the members (nonofficial) of the Budget Finance Committee last year and this year also, ~~and~~ and mooted in this year's April session.

The new scheme has now been introduced only in 2 Districts. In the ensuing year it is proposed to introduce in 2 more Districts. Any alteration in the mode of adjustment will affect the resources of the purps. Div: demands as Res. and Protection and army.

The Financial Settlement Scheme in so far as the apportionment of Revenue to the several purps are concerned is to come up for revision at next budget time.

It is perhaps desirable to take up this question then. By that time we will have a fairly accurate idea of the recurring cost of the new scheme.

The administrative depts. may also be consulted.

Fl Secy.)

18
10/5/19

2683
14/5

4) The percentage adjustment must be changed with the introduction of the

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—20-3-18—S.

(3

G. R. S. III-2].

General and Revenue Secretariat. | G-F. File No. 256 of 1918-19

Serial No.

reform with effect from the current year — A We cannot give relief to L.R. in Districts where no such relief is justified by facts — USs will please ~~add~~ formulate the principles of revision of adjustment. It will be sufficient if the Compt is given such general principles —

M
19/5

5) A. To Rev Secy for favour of stating whether any relief to L.R. is justifiable in Bangalore and Shimoga — where the judicial reform is introduced in the current year and, if so, to what extent

JS
20/5/19

I do not quite follow this. How relief to L.R.? Asst Secy L.R. to kindly bring up =
25-5-19

Secd
21-5-19

6). Relief to L.R. is necessary and quite justifiable, but the exact proportion will have to be worked by the Jl Section

Rev. Secy
23/5/19

7) The practice is, I believe, to calculate the 28% on the entire charges under Land Revenue. If so, owing to the separation of the functions in two Districts only, where, further, ~~also~~ the scheme affects only the two Divl. Asst Comrs and the Amils, the Dy Comrs.

NOTE—Contn. sheet.

G. R. S. III-2]

2815 (4

General and Revenue Secretariat.

G. F. File No. 256 of 1918-19

Serial No.

still continuing as Dt. Magte, any appreciable reduction in the percentage of charges to be debited to Law & Justice, does not appear warranted.

I have not been able to follow what is meant by "relief to L. R. in the notes above.

M
2/6/19

To Jl. Secty

2/6

The point was explained to Asst Secy Rev who discussed the matter - Opinion of the Rev Dept was requested as to how the scheme worked in practice to determine whether the 28% might be reduced in dists. 18 where the new scheme was introduced.
5/6 For personal discussion.

2846
5/6

9) "Relief to Land Revenue" means "transfer of a part of the charges debited to the Major head 1 Land Revenue on account of the pay Amildars & Rev Asst. Commrs to head Law & Justice". When the Amildars & Rev Asstt. Commrs do not do Judl work such transfers to Law & Justice cannot be made & the whole pay will remain under Land Rev.

Exactly, i.e., there will be no further 'relief' to L.R. The present rate of 28% will be reduced & the actual 'relief' to L.R. will be less than at present.
M
7.8.19

9) If the Rev Depts. will kindly state the dates from which the several Amildars & Asst Commrs have been divested of Judl functions, the Comptr will be asked ~~to~~ take necessary action regarding the ~~[illegible]~~ incidence of the charges connected with them & their estabts.

M
6/6

NOTE—Contn. sheet.

Revised)

10
7/6

2215

15

G. R. S. III-2.

General and Revenue
Secretariat.

File No. 256 of 1918.

Serial No.

(10) The file may be referred to the Protection Branch of the Chief Secty for remarks ~~giving~~ noting the information called for by the Finl Secy

14/6/19 14.6.19

To ~~Chief~~ Secty)

(11) Submd. The Judicial reform scheme was introduced into the 2 districts of Bangalore and Shimoga with effect from the 1st Jany 1919 and the Amildars and the Rev-Sub-Divn. officers were divested of their magisterial powers from 2nd Jany 1919

1838

13/6

18/6

18/6

(12) To Rev Secty) Subd for perusal before sending to Jul Secty.

19.6.19 H Secy.

15

(13) Subd. for orders with a draft letter to the Comptroller on the lines of H Secy's note of 6/6/19.

19.6.19

24/6/19

26

(14) The draft is approved.

The

NOTE—Contn. sheet.

845

18381

16

G. R. S. III-2

General and Revenue
Secretariat.

G. R. File No. 256 of 1918.

Serial No.

15) Dy. Commrs in the 2 districts continue to exercise magisterial functions —

The Rev. officers are not* wholly relieved of magisterial work. To what extent work of that kind is attended by them requires to be determined. —

Will the Political branch kindly indicate the amount or extent of relief given by the scheme to Rev. officers — — —

27/6/19.

x I believe. The DC is not in Magte

4-15

To the Chief Secy

16) Subd. The Amildars & Sub-Divn. Officers in the Dts. of Bangalore & Shimoga have been divested of their magisterial ~~functions~~ powers hitherto exercised and appointed ex-officio magistrates with the ordinary powers of ~~a~~ magistrate of II & I class respectively — powers ~~purely~~ essentially preventive in their nature. It is not possible to estimate exactly ~~how much~~ what amount of work such powers entail on the Rev. Officers. ~~If approved, the respective Dt. Magtes. may be asked to furnish the information.~~

D. M.
2/7

86
~~30~~/6/19. First Secy

SECRETARIAT
1919

NOTE—Contn. sheet.

113 (7

G. R. S. III-2]

General and Revenue
Secretariat.

9.7 File No. 256 of 1918

Serial No.

(17) Subd: for orders with reference to the last para of the Under Secy's note dt 27-6-19.

Bm
4-7-19

(18) Under the old arrangement in force prior to Sept 1917, the adjustment made on account of transfer ~~[illegible] [illegible]~~ to Law & Justice from Land Rev consisted of different proportions – in respect of the Salary & ta of Dy Comms & their est and of those of subordinate officers –

An arbitrary pc of 28 is now fixed ~~of~~ in respect of total charges under LR.

2) Under the ~~[illegible]~~ scheme of Govt. Reform, the Dy Commrs continue to exercise magisterial powers, and therefore the head 'L.R.' cannot be wholly ~~[illegible]~~ saddled with the Salary and ta of such officers, even tho the relief that may be due on account of the subordinate officers ceasing to ~~[illegible]~~ be ex-officio magistrates with preventive powers be ignored.

3) We may ~~[illegible]~~ perhaps adopt the old arrangement of transferring $\frac{3}{8}$ of the Salary &c of Dy Commrs, $\frac{3}{7}$ of the . . . . . of their Est to

Note—Contn. sheet.

1715

G. R. S. III-2] (8

General and Revenue Secretariat. GP File No. 256 of 1918-19

Serial No.

19) Law & Justice from L. R. in these Districts of Bangalore & Shimoga from 1.1.19.

4) This arrangement might be adopted tentatively ~~till the scheme is extended~~ till the scheme is extended into all the Districts in the State when it might be revised and a fair percentage on the total L.R. charges may then be determined -

5) It is also a point for consideration whether on the ~~al~~ analogy of the Police Dept being exempted from paying the quota of the Dy Commrs charges for police work, the Judl Dept shld not be treated likewise, in view consider to simplify the work of adjustment.

227/26/7 Issue)

26/7

The question is to what extent the share of cost of Land Revenue establishments hither to transferred to 'Law and Justice' should be reduced. According to Government Order No. J.4550-4600/Cts.312 12-1 dated 10th May 1918, Deputy Commissioners are not divested of their appellate powers and powers o supervision and superintendence. The case for --- transfer of the share of cost of Deputy Commission

NOTE—Contn. sheet.

(9

Serial No.

establishments is therefore undisturbed. As for t particular share of such charges to be transferred t Law and Justice, it may be fixed with reference to the average of the actual amount transferred during the three years preceding the introduction of the uniform proportion of 28 %, when the transfer was being calculated with reference to each minor head under Land revenue.

21) According to the order of 10th May 1918 all cases triable by the First, Second and Third class Magistrates are to be dealt with under the new scheme by Special Magistrates. But Assistant Commissioners, Amildars, and Deputy Amildars are to continue to be Magistrates ex-officio for exercising magisterial functions "such as are really executive in their nature as for instance those referred to in Chapters VIII, IX, X, XI and XII of the Criminal Procedure Code." The point to be considered is to what extent these officers continue to perform magisteria functions and what should be taken as the cost of th time and attention that these officers devote to suc work. This is an administrative matter to be settl between the Revenue and Judicial Departments.

22) I find from the report on the Administration of Criminal Justice for the year 1917-18 that out of 431 cases coming under the Criminal Procedure Code, the number of those coming under Chapters VIII, X and XII was 154. What part of the work relating to such cases

xshould

NOTE—Contn. sheet.

Serial No.

should be attended to by the Revenue Officers and wha fraction of their entire work such magisterial work represents, are points on which the Financial Department would like to be advised by the Revenue and Judicial Departments.

Smh
4/8/19.

18
5/8.

Chief Secy
Rev Secy) with Compliments, for favour of remarks –

1919

2) To Rev Secy with compliments in the first place

5/8 18
6/8

Vi) Please note (1) the total no of cr. cases under the preventive sections of the Cr. P. Code Police Regn &c and (2) other regular cases under the I. P. C & (3) other Spl & local laws which have been transferred to the Spl Magtes under the Jdl Sep. scheme. The information can be obtained from the annual reports of the Jdl & Police Deptts. Figures for three years will do.

SMH
10.8.19

NOTE—Contn. sheet.

P.T.O.

D 25(3)

11

General and Revenue
Secretariat.

G-D File No. 256 of 1918-19

Serial
No.

25) copies of the Administrative reports of Criminal Justice and of the Police Depts for the three years from 1915-16 to 1917-18 are put up: The total number of cases brought for trial in each year and of those falling under chapters VIII to XII of the criminal Pro code are as below:

	(1) No of cases under I. P. Code + Special and local laws brought for trial	(2) this No of cases under the Cr P. Code	(3) No of cases out of col (2) falling under chapters VIII to XII of the Cr P Code	Total of columns (1) and 2, excluding col (3)
1915-16	19,994	412 20406	146	20260
1916-17	17,599	524 17874	249	17874
1917-18	18,401	431 18832	170	18662

26) Subd
21-8-19

27) It will be seen from the figures in the pa
above that the Amr + Asst Commis
Magtes will not have much work
under the preventive + executive sections of
the Cr. P. Code. As the work which
they will have to do cannot be
correctly gauged + as it wld not
be right to give no relief to the Rev

x 27/8 4699.

(12)

G. R. S. III-2.

General and Revenue Secretariat.

G.7 File No. 256 of 1918.

Serial No.

Deptt when the officers in charge of Sub Dns & Tks are ex officio Magtes, the share of cost of R. R. estts chargeable to "Law & Justice" may perhaps be reduced to 5% in respect of those Dists in which the new scheme has been introduced. This applies only to the Tk & Sub Dn Offices estts

SMH
22.8.19

Rev. Secy)

28) I would put the ~~limit~~ share of cost at 10% as against the present 28%. This reduction would, of course, apply only to those districts in which the scheme is introduced, and have reference only to Sub Dn & Tq Office Establts.

4699

10.9.19

Ch. Secy)

29) Submitted

K.R.
11-9-19

30) According to the figures furnished in para 25 above, the work of the Auxiliary & Addl. Courts under

NOTE—Contn. sheet.

~~D 78~~ 15 .4655 ~~4461~~ 11 (13)

G. R. S. III-2]

General and Revenue
Secretariat.

~~Police~~ G. 7 File No. ~~192~~ 256 of 1918.

Serial No.

the preventive sections of the Cr. P. C. will be less than 20 p.c. of the total amount of crime work. Hence the share of cost chargeable to "Law & Justice" has to be considerably reduced & may perhaps be fixed at 50 p.c. in respect of the districts in which the scheme is introduced.

P. M.
16/9

Chief Secy)

31) The Rev Secy's suggestion in para 28 may be adopted.

CS
17/9.

P. M.
18/9

Subd. with reference to Financial Secretary's note dated 4.8.19 on page 10 of notes.

887
7/10

Hve
5-10-19

Fesu?)

N
5.10.9.

Please put up a draft accordingly. Re cost of Dy Cr's establishments vide my note para 20. As regards Sub Dn. officer & Amildars Estabts vide notes of the Rev & Chief Secretaries paras 28 & 31.

8/10/19

N
8/10

NOTE—Contn. sheet.

2815

14

G. R. S. III-2]

General and Revenue
Secretariat.

57 File No. 256 of 1918.

	Serial No.	
		3. Draft order is Subd.
		Hrs 25/10/19
		3. A clean draft ~~is placed~~ up ~~after approval~~
Unnecessary delay for this simple draft		
		27/10
		Dewan thro Second Member)
		1.11.19
2249 4-11-19	1178 4/11	
		10-11-19
		I approve. I have modified the language of the draft here and there to bring it in strict conformity with the provisions of the Civil Procedure Code.
		14/11/19
		Dewan)
		15/4
		I think 10 p.c. is far too much to be charged to L. Revenue in these cases. I would make it 5 p.c. If the member is not prepared to agree with me, I have no objn. to the matter being considered in Council
		18-11-19
2476 20-11-19		2nd. member) –
		19.4

DEWAN'S OFFICE.
Recd. on NOV 17 1919
Reg. No. 3387

NOTE—Conta. sheet.

2515

15

G. R. S. III-2]

General and Revenue Secretariat.

G. F. File No. 256 of 1918-19.

Serial No.

38 I think the 10 p/c proposed is what is intended to be charged to the Land & Justice, the charge to the revenue being 90 p/c. The Financial Secretary will kindly state if this is correct.

27/11/19

Rd at 4.45 [illegible] 28-11-19

1676 / 28/11

Fin Secy) 39 Yes. The transfer is from Land Rev to Land and Justice and the share proposed to be transferred is 10 p.c. of cost of Sub Dn and Taluk staffs.

29-11-19

18 / 29.11

18 / 29.11

2684 / 2-12-19

2nd member) 40 May be submitted to the Dewan.

41 I have no objection if it is meant that 5 p/c each charged to Land & Justice.

17/12

18 / 18/12

DEWAN'S OFFICE.
Recd. on DEC 19 1919
Reg. No. 4192

Dewan) 42 This may be done

20.12.19

43 May the order issue

1738 / 3/1

Fin Secy) 44 Yes with change made by 2/M

3-1-20

18 / 3-1-20

45 Issue 18 / 5/1/2

2815

16

G. R S. III-2]

General and Revenue
Secretariat.

Gx. File No. 256 of 1918

Serial No.	
2	To The Comptr. Copy to Ch. Secy " Rev "

No. H 4072 d/ 9th Jan 20.

States for reasons stated that the case for transfer of a share of cost of Dy. Comrs establishments remain undisturbed & 28% of such charges will continue to be transferred to courts of law and 5% of the cost of Sub-division and Taluk office establishments instead of the present rate of 28% may be transferred to courts of law in the Dts in which the scheme is introduced.

B

e
corded

A/ 23/1/1920

NOTE—Contn. sheet.

G.7. 256-8-1.

D 28/

Please address all future communications to the Comptroller to the Govt. of H. H. the Maharaja of Mysore.
In reply to this Comn. please refer to
No. 2990/Books.

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Dated, Bangalore, the 7 Apr *191*9.

Genl Secty
21 APR 1919

FROM

67125

M. N. KRISHNA RAO, ESQ., B.A.,
~~Offg.~~ *Comptroller to the Government of His Highness the Maharaja of Mysore.*

To

Rajamantrapravina
Dewan Bahadur J. S. Chakravarti, Esq., M.A., F.R.A.S.,
Secretary to the Government of Mysore,
FINANCIAL *Department.*

SIR,

I have the honor to state that in Government Order No. Fl.1378-427/G.F.243-16-2 dated 10th September 1917 on Mr. Datta's Note of the 22nd December 1916 on periodical transfer adjustments made in this office, Government were pleased to approve of the proposal to transfer 28 per cent. of the charges under Land Revenue to the head, Courts of Law. But under the new judicial reform scheme, a number of special Magistrates have been employed solely for judicial work and the Revenue Officers relieved of such work in the areas in which the new scheme has been brought to effect. In these circumstances, the percentage of 28 previously fixed for charges to be transferred from Land Revenue to Courts of Law has to be changed and I request early orders on this point.

I have the honor to be,
Sir,
Your most obedient servant,

Comptroller.

MSR/17-4.

WD.0322—GPB—3,000—11-12-16

C. O. 42-Rec.—17]

....Department

191

From

M. N. Krishna Rao, Esq., B.A.,
Offg. Comptroller to the Govt. of
H. H. the Maharaja of Mysore.

To

....Esq.,
Secretary to the Govt. of Mysore,
Dept.

Dated

Despatched

Received

No.............................

Subject matter.

2815

G. R. S. VI—G/32]

SUBJECT..

Diary No. of letter replied to...2815

Section G7
File No. 36-18
Serial No. 2

GENERAL AND REVENUE SECRETARIAT
(   )
, the   191 .

No. H 4072

Date of issue...9 January/20

To

The Comptr.

Signed by W Hemming

Sir

With reference to your letter no 2990/Books dated 17th April 19 pointing out that under the new judicial reform Scheme a number of Special magistrate ~~have~~ having been employed solely for judicial work and the Revenue officers relieved of such work, in the areas in which the new Scheme has

over.

8/1

been brought into effect ~~and~~ ~~that these [illegible]~~ the percentage of 28 ~~previously~~ fixed in the G.O. no. H. 1378-427 / G.J. 243-162 of 10.9.1917 for transfer of charges from 'Land Revenue' to 'Courts of Law' has to be changed and requesting further orders ~~on the point~~ in the matter, I am directed to state ~~that~~ as follows: — According to G.O. no. J 4550-4600 / Cts. 312-12-1 of 10th May 18 Dy. Comrs. still continue to be District Magistrates and ~~as such~~ exercise all the powers ~~[illegible]~~ with which Magistrates are invested in the Criminal Procedure Code. ~~are not divested of their~~ therefore ~~appellate powers & powers of Supervision & Superintendence~~ and ~~that~~ in the districts in which the Scheme is introduced Only Amildars & Asst. Comrs. ~~are~~ are divested of their power as ~~[illegible] Special Magistrates~~ Magistrates to try cril cases, ~~cease~~ ~~to exercise magisterial functions~~, Special magistrates being appointed therefor. The case for transfer of ~~the~~ a share of cost of Dy. Commissioners' esta-

List of enclosures.

Copied by

Examined by

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

-blishments ~~is~~ therefore
~~to~~ remain undisturbed
~~necessary~~ and 28 % of
Such charges will continue
to be transferred to Courts
of Law.

2. As regards the share
of cost to be transferred
in respect of Sub Division
and Taluk Office establish-
ments it has to be stated ~~Govt. are of opinion~~
that ~~10 % of such charges~~
~~as against~~, ~~as~~ some power
under the Criminal
Procedure Code continue
to be exercised by the ~~Sub~~
Revenue officers, and in view of this fact ~~10 %~~ of
Such establishments ~~charges~~ in place of ~~as against~~
the present rate of 28 % may ~~should~~
be transferred to courts of
Law in the districts in
which the scheme is
introduced.

P.T.O.

5 %

subordinate —

the cost of

18
8-1.1920

GPB—20,000—7-7-14